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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

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**REX REEDER,**

Plaintiff,

v.

**FEDERAL EXPRESS CORPORATION;  
and DEBORAH REED GARCIA,**

Defendants.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

Case No. 2:17-cv-1195-DB-PMW

District Judge Dee Benson

Chief Magistrate Judge Paul M. Warner

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Before the court is the Report and Recommendation issued by U.S. Magistrate Judge Paul M. Warner on February 26, 2019, recommending that Defendant Federal Express Corporation's ("FedEx") motion to dismiss be converted to a motion for summary judgment and be granted, and that Plaintiff Rex Reeder's motion for clarification be denied because it is barred under the doctrine of claim preclusion. (*See* Dkt. No. 19.)

The parties were notified of their right to file objections to the Report and Recommendation within fourteen (14) days after being served with a copy of it. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). None of the parties have filed such an objection and the time for doing so has passed.

Having reviewed all relevant materials, including the reasoning set forth in the Magistrate Judge's Report and Recommendation, the court now **ADOPTS** the Report and Recommendation and **ORDERS AS FOLLOWS**:

1. FedEx's motion to dismiss is hereby converted to a motion for summary judgment, and is **GRANTED**;
2. This action is accordingly **DISMISSED WITH PREJUDICE**; and

3. Plaintiff's motion for clarification is hereby **DENIED**.

DATED this 25<sup>th</sup> day of March, 2019.

BY THE COURT

A handwritten signature in black ink that reads "Dee Benson". The signature is written in a cursive, flowing style.

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U.S. District Judge Dee Benson